

EXHIBIT

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DECLARATION OF CYNTHIA RANDALL

PURSUANT TO 28 U.S.C. § 1746

I, Cynthia Randall, make the following statement:

1. I am a U.S. citizen over the age of 18 residing in New Gloucester, Maine. I have personal knowledge of the facts stated herein.
2. In March 2008, I was surfing the Internet when I was redirected to a website I did not enter into my web browser.
3. The website to which I was redirected claimed to be scanning my computer for threats. The scanner reported the my anti-virus software was not up to date, and that the scanner had detected several threats to my computer.
4. At the end of the scan I received a message that my computer was infected with a number of viruses and that I should install XP Antivirus 2008 to repair the infection.
5. The color scheme and appearance of the scanner led me to believe that it was part of Microsoft Windows, and that Windows was alerting me to a problem with my computer.
6. At this point, the website requested that I enter my credit card information in order to pay for XP Antivirus 2008. The total cost was \$49.95.

7. I entered my credit card information and clicked the button at the bottom of the page indicating that I agreed to purchase the product. After I clicked to buy the product, nothing appeared to happen, and I never received XP Antivirus.
8. Uncertain about how to proceed, I did an Internet search for XP Antivirus and was appalled to see many consumers complaining about the product and calling it a scam.
9. I immediately called my credit card company to inquire about the charge, and was told that the charge had already been processed. To date, I have not received a refund or other credit.
10. I state under penalty of perjury that the foregoing statement is true and correct.

Executed on October 28, 2008, at New Gloucester, Maine

Cynthia S. Randall
Cynthia Randall